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CLERK US DISTRICT COURT	
DISTRICT OF NEVADA	
BY:	DEPUTY

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6 **UNITED STATES DISTRICT COURT**
 7 **DISTRICT OF NEVADA**

8 -oOo-

9 UNITED STATES OF AMERICA,)
 10 Plaintiff,) Case No. 2:07-cr-00043-KJD-PAL
 11 vs.)
 12 IAN MENDELSON,) PRETRIAL DIVERSION AGREEMENT
 13 Defendant.)

14 You have been charged in a Criminal Indictment filed on March 7, 2007, in the United
 15 States District Court for the District of Nevada with Coercion and Enticement, in violation of Title
 16 18, United States Code, Section 2422(b). From on or about July 21, 2005, to on or about March 6,
 17 2006, in the State and Federal District of Nevada, you did use a facility of interstate commerce to
 18 knowingly persuade, induce, and entice, and to attempt to knowingly persuade, induce, and entice an
 19 individual who has not attained the age of 18 years to engage in any sexual activity for which any
 20 person can be charged with a criminal offense under federal, state, and local law. Upon accepting
 21 responsibility for your behavior and by your signature on this Agreement, it appearing after an
 22 investigation of the offense and your background, that the interests of the United States and your own
 23 interests and the interests of justice will be served by the following procedure, on the authority of the
 24 Attorney General of the United States, by Gregory A. Brower, United States Attorney for the District
 25 of Nevada, prosecution in this District for these offenses shall be deferred for a period of 18 months
 26 . . .

1 from this date, provided you abide by the following conditions and the requirements of this Agreement
2 as set forth hereafter.

3 Should you violate the conditions of this Agreement, the United States Attorney may
4 revoke or modify any conditions of this Pretrial Diversion Program or change the period of
5 supervision, which shall in no case exceed 18 months. The United States Attorney may release you
6 from supervision at any time. The United States Attorney may at any time within the period of your
7 supervision initiate prosecution for these offenses should you violate the conditions of this Agreement.
8 In such an event, your statement accepting responsibility in this matter may be used against you. In
9 this case, he will furnish you with notice specifying the conditions of the Agreement which you have
10 violated.

11 After successfully completing your Pretrial Diversion Program and fulfilling all the
12 terms and conditions of the Agreement, no prosecution for the offenses previously set forth will be
13 instituted in this District, and the charges against you will be dismissed.

14 **GENERAL CONDITIONS OF PRETRIAL DIVERSION**

15 1. You shall not violate any law (federal, state and local). You shall immediately
16 contact your Pretrial Diversion Program supervisor if arrested and/or questioned by any law
17 enforcement officer.

18 2. You shall attend school or work regularly at a lawful occupation or otherwise
19 comply with the terms of the special program described hereafter. If you lose your job or are unable
20 to attend school, you shall notify your Pretrial Diversion Program supervisor at once. You shall
21 consult him or her prior to job or school changes.

22 3. You shall continue to live in the District of Maryland. If you intend to move out
23 of that district, you shall inform your supervisor so an appropriate transfer of program responsibility
24 can be made.

25 4. You shall report to your supervisor as directed and keep him or her informed of your
26 whereabouts.

5. You shall follow the program and such special conditions as described below.

SPECIAL CONDITIONS

1. You shall not have access to computers or connecting devices (PDA's, Cell Phones, Playstations, etc.) at home or employment, which have Internet, Instant Messaging, IRC Servers, and the World Wide Web.

2. You will not be employed in, or be present in any setting, directly involving minor children.

3. You will not possess any pornographic or erotica images, to include movies, books, magazines, or any such material.

4. You will not have any contact with minor children unless with adult supervision.

5. You shall participate in the curfew component of the home confinement program and abide by all of the requirements of the program, which shall include electronic monitoring or other location verification system. You shall pay all or part of the cost of the program based on your ability to pay as determined by Pretrial Services.

6. You will comply with curfew as determined by Pretrial Services.

7. Your travel will be restricted to the District of Maryland and Nevada for court and to the District of Virginia for work purposes only.

8. You will refrain from possessing a firearm, destructive device, or other dangerous weapons.

9. You will avoid all contact with an alleged victim of the crime and with a potential witness who may testify concerning the offense.

10. You will participate in mental health counseling for sex offenders as directed by Pretrial Services

11. You will not use or possess any illegal drugs.

12. You will not associate with those using or possessing illegal drugs.

13. You will submit to drug monitoring and counseling as deemed necessary by Pretrial Services

14. You shall perform 400 hours of community service.

ACKNOWLEDGMENT

I assert and certify that I am aware of the fact that the Sixth Amendment to the Constitution of the United States provides that in all criminal prosecutions the accused shall enjoy the right to a speedy and public trial. I also am aware that Rule 48(b) of the Federal Rules of Criminal Procedure provides that the Court may dismiss an indictment, information, or complaint for unnecessary delay in presenting a charge to the Grand Jury, filing an information or in bringing a defendant to trial. I hereby request the United States Attorney for the District of Nevada to defer such prosecution. I agree and consent that any delay from the date of this Agreement to the date of initiation of prosecution, as provided for in the terms expressed herein, shall be deemed to be a necessary delay at my request, and I waive any defense to such prosecution on the ground that such delay operated to deny my rights under Rule 48(b) of the Federal Rules of Criminal Procedure and the Sixth Amendment to the Constitution of the United States to a speedy trial or to bar the prosecution by reason of the running of the statute of limitations for a period of months equal to the period of this agreement.

I hereby state that the above has been read and explained to me. I understand the conditions of my Pretrial Diversion Program and agree that I will comply with them.


IAN MENDELSON, Divertee

10-14-08

Date


DOMINIC GENTILE, Esq.
Counsel for Divertee

10-14-08

Date


NANCY KOPPE
Assistant United States Attorney

10/17/08

Date


JENNAH BUSH
U.S. Pretrial Services Officer

10/17/08

Date